

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

DEC 12 2023

[Signature]

UNITED STATES OF AMERICA,

Plaintiff,

MITCHELL R. ELFERS
CLERK

vs.

No. CR 22-0634 JB

ROBERT PADILLA
and GARY COCA,

Defendants.

VERDICT

COUNT 1

WE, the Jury, find the defendant **ROBERT PADILLA**, *Guilty*
(guilty or not guilty)
of violent crimes in aid of racketeering in the murder of Leroy Lucero as charged in Count 1 of
the Indictment.

Only if you unanimously answer the prior question guilty, answer one of the next two
questions. If you answer not guilty, go to Count 2.

- a. Does the Jury unanimously find that the government has proved the fourth element
of Count 1 by showing beyond a reasonable doubt that the defendant, Robert
Padilla, committed first degree murder?

YES NO

If you agree that the defendant, Robert Padilla, committed first degree murder go to Count 2. If
you do not agree that Mr. Padilla committed first degree murder, go to question b.

- b. Does the Jury unanimously find that the government has proved the fourth element
of Count 1 by showing beyond a reasonable doubt that the defendant, Robert
Padilla, committed second degree murder?

_____ YES _____ NO

COUNT 2

WE, the Jury, find the defendant **ROBERT PADILLA**, Guilty
(guilty or not guilty)
of retaliation against a witness, victim, or informant as charged in Count 2 of the Indictment.

COUNT 3

WE, the Jury, find the defendant **ROBERT PADILLA**, Guilty
(guilty or not guilty)
of killing while engaged in drug trafficking as charged in Count 3 of the Indictment.

COUNT 4

WE, the Jury, find the defendant **ROBERT PADILLA**, Guilty
(guilty or not guilty)
of using, carrying, possessing in furtherance of, and discharging a firearm during and in relation
to, a crime of violence or drug trafficking crime and causing death through use of the firearm as
charged in Count 4 of the Indictment.

Only if you unanimously answer the prior question guilty, answer both of the next two
questions. If you answer not guilty, go to Count 5.

- a. Does the Jury unanimously find that the government has proved the third element
of Count 4 by showing beyond a reasonable doubt that the defendant, Robert
Padilla, used, or possessed a firearm in relation to, or in furtherance of, a drug
trafficking crime?

YES _____ NO

- b. Does the Jury unanimously find that the government has proved the third element
of Count 4 by showing beyond a reasonable doubt that the defendant, Robert
Padilla, used, or possessed a firearm in relation to, or in furtherance of, a crime of
violence?

YES _____ NO

COUNT 5

WE, the Jury, find the defendant **ROBERT PADILLA**, Guilty
(guilty or not guilty)
of tampering with a witness, victim or informant by physical force or threat as charged in Count 5
of the Indictment.

COUNT 6

WE, the Jury, find the defendant **ROBERT PADILLA**, Guilty
(guilty or not guilty)
of conspiracy as charged in Count 6 of the Indictment.

COUNT 7

WE, the Jury, find the defendant **ROBERT PADILLA**, Guilty
(guilty or not guilty)
of possession with intent to distribute buprenorphine as charged in Count 7 of the Indictment.

COUNT 8

WE, the Jury, find the defendant **ROBERT PADILLA**, Guilty
(guilty or not guilty)
of possession of contraband in prison as charged in Count 8 of the Indictment.

Dated this 12 day of December, 2023.

FOREPERSON